

REMARKS

The Examiner's attention to the present application is greatly appreciated.

In an Office Action of July 8, 2003, the Examiner rejected all of the claims, Claims 1 - 16, under 35 U.S.C. § 102, and rejected Claims 7, 8, 15 and 16 under 35 U.S.C. § 103(a).

In order to overcome these rejections, independent Claims 1 and 9 have been amended to more clearly define the present invention, and describe the characteristics, objects and efficacy of the present invention which are not suggested in the prior art. No new matter is added. Specifically, support for the amendments can be found in the drawings (Figs. 3 and 4) and in the specification (Page 5, lines 13 - 17 and lines 25 - 27).

In view of the foregoing amendments and the following remarks, reconsideration of the present patent application is respectfully requested.

REJECTION UNDER 35 U.S.C. §102

The Examiner rejected Claims 1 - 16 under 35 U.S.C. §102(e) as being anticipated by *Sharpe, III et al.* (U.S. Patent No. 6,012,961).

Sharpe, III et al. discloses an electronic toy, such as the shown teddy bear, that includes a processor and re-programmable memory for controlling the speech and movement of the toy. To update the toy's memory, the toy is connected by a cord to an external computer, such as a traditional personal computer (PC). Information on the computer is then downloaded to the toy where the information is converted by a signal converter to a form useable by the toy. Unfortunately, this construction requires that each toy include an expensive signal converter.

Meanwhile, Applicant has eliminated the disadvantage of requiring signal converters for each toy by providing an external signal converter which is disengageable from the toy (referred to as an appliance) when the information transfer is not taking place. As shown in Figs. 3 - 6, Applicant's claimed system includes a computer, an appliance, and a signal converter located between the computer and the appliance. The signal converter is disengageable from the appliance so that it may be used to transfer and convert signals to an unlimited number of appliances. This construction, which eliminates substantial expense, is nowhere suggested in the prior art.

Applicant respectfully submits that *Sharpe, III et al.* does not render the present invention anticipated. The amended Claims 1 and 9 limit the claimed invention to a signal converter located between a computer and an appliance for transferring data into said appliance. The signal converter includes:

- a first end connected to a port of a computer for receiving a first signal;
- a second end connected to a memory device of said appliance via a cable for outputting a second signal; and
- a controller for converting said first signal into said second signal outside the said appliance.

Accordingly, the purpose of the present invention is to provide an independent signal converter for transferring data into an appliance. In other words, the controller is in the signal converter and located outside of the appliance for converting the serial signal into a digital signal. The feature that the controller is located outside of the appliance can be clearly seen in Fig. 3 in view of the description, on Page 5, lines 13 - 17 and lines 25 - 27.

However, the purpose of *Sharpe, III et al.* is to provide a toy including a digital processing device (Column 10, lines 33 - 45). It does not suggest the present invention of the signal converter located between the computer and the appliance. For example, referring to Fig. 3, *Sharpe, III et al.* appears to disclose the transmission of a first signal from the computer which is received unchanged by the appliance. The digital processing occurs in the toy, requiring that every toy include a costly complicated converter in it.

Thus, *Sharpe III, et al.* discloses nothing related to an independent converter. Conversely, the signal converter of the present invention is independent from the toy and it can be connected to another one. Therefore, when using the present invention one does not have to buy ten dolls with ten converters. It is less costly than the prior art. In addition, while the prior art does not disclose the purpose and means, since it is restricted to the accomplishment of a substantially limited and different purpose, it cannot be regarded as an anticipation (*Sperry Product, Inc. v. Aluminum Co. of America*, 120 USPQ 362, 373 (N.D. Ohio 1959)). Under such a manner, Applicant respectfully submits that the present invention cannot be anticipated by *Sharpe, III et al.*

Based on the above comparisons, it is apparent that the present invention is distinguishable from *Sharpe, III et al.*, and a person skilled in the art would not be taught or suggested the present invention. Accordingly, Claims 1 - 16 are patentable over *Sharpe, III et al.* and the prior art of record.

REJECTION UNDER 35 U.S.C. §103

The Examiner rejected Claims 7, 8, 15, and 16 under 35 U.S.C. §103(a) as being unpatentable over *Sharpe, III et al.* Claims 7, 8, 15 and 16 depend from independent Claims 1 and 9 which, as explained above, are believed patentable over the prior art. Thus, these dependent claims include additional basis for further distinguishing the present invention from the prior art.

CONCLUSION

It is respectfully requested that Claims 1 - 16 be allowed. It is believed that the claims are in condition for allowance and notice thereof is respectfully solicited. If there are any remaining issues that need to be resolved, it is respectfully requested that a telephone call be placed to the undersigned.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "David G. Duckworth", written in a cursive style.

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